

Town of Mashpee

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Planning Board Minutes 06-17-2015

Mashpee Planning Board

Minutes of Meeting

June 17, 2015 at 7:00 p.m.

Wauquoit Meeting Room, Mashpee Town Hall

Approved 7/1/15

Planning Board Members Present: Vice Chairman Mary Waygan, Dennis Balzarini, David Kooharian, Joe Cummings, Robert (Rob) Hansen

Also Present: Tom Fudala-Town Planner, Charles Rowley-Consultant Engineer

Absent: Chairman George Petersen

CALL TO ORDER

The Town of Mashpee Planning Board meeting was opened with a quorum in the Wauquoit Meeting Room at Mashpee Town Hall by Vice Chairman Waygan at 7:05 p.m. on Wednesday, June 17, 2015 and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES—June 3, 2015

MOTION: Mr. Balzarini made a motion to accept the minutes of June 3, 2015 as written. Mr. Cummings seconded the motion. 4 yes, 1 abstain

DEFINITIVE SUBDIVISION PLAN

Applicant: Mashpee EDIC and H&W Realty, LLC

Location: 117 Industrial Drive

Request: Signature of re-subdivision of 1 lot on Industrial Drive Extension (approved 5-20-15 with conditions & need new road covenant)

The Vice Chair read for the record the request. It was reported that a copy of the Covenant had been signed by H&W Realty. Mr. Fudala inquired whether a copy was available to record with the plan, so made copies of the Covenant provided. Tom Bunker, representing the applicant, signed the covenant June 15. Mr. Fudala noted that the release of the previous Covenant was needed with a vote from the Board.

MOTION: Mr. Balzarini made a motion to release the Covenant on the property recorded in Barnstable Registry of Deeds, Book 13,448, page 19. Mr. Kooharian seconded the motion. All voted unanimously.

The Covenant Release was signed by Board members. Mr. Rowley confirmed that the conditions were met from his letter dated May 20, 2015.

MOTION: Mr. Kooharian made a motion to approve the plan as presented. Mr. Balzarini seconded the motion. All voted unanimously.

The plan was signed by Planning Board members. Plans still require a sign off from Town Clerk.

Applicant: New Seabury Properties, LLC

Location: Cross Road, New Seabury Section 5

Request: Request for reduction of performance guarantee for "The Cottages" Phase I

The Vice Chair read the request seeking a performance guarantee reduction. John Falacci, of New Seabury, reported that the pump station had been completed, tested and letters submitted to the Town. The Vice Chair referenced the appropriate letters contained in member packets. Mr. Rowley referenced item #2 in his letter, confirming that the sewer pump station was operational and noting that the amount secured was \$40,000. The amount would be returned at 1 ½ times the amount, resulting in a return of \$60,000 for the item. The remainder of the funds would remain in place.

MOTION: Mr. Balzarini made a motion to reduce the performance bond to \$176,320.95. Mr. Kooharian seconded the motion. All voted unanimously.

Board members signed the performance bond tracking form authorizing the reduction.

SPECIAL PERMIT SITE PLAN

Applicant: Southport on Cape Cod

Location: Proposed Stony Brook Drive

Request: Request for site plan approval for Phase III, Section 5

Also: Discussion of driveway design / access at 57 Twin Oaks Drive (Phase III, Section 3)

The Vice Chair read for the record the request. Ron Bonvie was present to discuss the Phase Approval for Phase III, Section 5. Mr. Bonvie confirmed that his engineer and Mr. Rowley had been in consultation regarding the plans, adding that the Fire Department had confirmed their approval. Board members reviewed the plans. Mr. Bonvie confirmed that any changes made to the plan had been made with Mr. Rowley's input. Mr. Bonvie indicated that they were ready to begin flagging setbacks, noting that the grades were not as steep as previous phases and that some trees should be saved.

Vice Chair Waygan inquired about the proposed walkways and whether they would be paved or gravel. Mr. Bonvie responded that the pathways were to be determined and would be shells or stone dust with a component that would harden. Per the Conservation Commission, no trees could be removed or damaged and the walkway would need to be located by the Conservation Agent prior to construction. Mr. Balzarini inquired about the pond area and Mr. Bonvie confirmed that the area would remain natural. There was discussion regarding drainage. Mr. Rowley noted that the drainage would be as far away from the pond as possible. Mr. Rowley did note that there will be some grade changes that would look similar to portions of Twin Oaks and Greyhawk, requiring a significant amount of planting. Mr. Bonvie assured the Board that he would install trees beyond the minimum landscaping, as he has done in prior phases.

Mr. Rowley confirmed that he had reviewed the plans several times and had requested some changes, such as interception of the drainage prior to the hill. Mr. Rowley confirmed that the Fire Chief submitted a letter indicating that, as long as the radius of the turnaround was the same size as previous Southport turnarounds, he was not concerned. Mr. Rowley recommended approval for construction. There were no additional comments regarding the plan from Board members. As a resident of Southport, Mr. Hansen recused himself from discussion.

MOTION: Mr. Kooharian made a motion to accept the Phase III, Section 5 Final Site Review Plans as presented. Mr. Balzarini seconded the motion. All voted unanimously.

The Vice Chair signed the plans.

Mr. Bonvie referenced an issue that had arisen while working with the Southport Street Reps. A resident had been in contact with Mr. Fudala regarding her concerns about her driveway at 57 Twin Oaks Driveway. The resident was faced with doing a 2-point turn in order to exit her driveway. Mr. Bonvie agreed that the driveway would benefit from altering. Mr. Rowley reviewed the driveway and has provided a working plan for the Board to consider. Mr. Rowley pointed out that the resident was located in the last unit of building 56, at the end of Twin Oaks Drive. Mr. Rowley described the leaching pits, setback line, emergency road and retaining wall and described the resident's driveway area, adding that the curbing was higher than typical. Additionally, the driveway was very short creating a tight departure. Mr. Rowley recommended removing a portion of the wall to push it back, and extending it to allow more room for the resident. Mr. Rowley also referenced the challenge of backing out of the visitor's parking lot and recommended cutting back the lawn slightly, particularly as the final coat had not yet been completed. Mr. Bonvie agreed and requested that Mr. Rowley be authorized to direct Southport, on site, exactly how best to rectify the issue.

MOTION: Mr. Kooharian made a motion that the Planning Board would authorize Board Engineer, Charles Rowley, to approve modifications of the driveway areas in front of Building 56 for the stated purpose. Mr. Balzarini seconded the motion. All voted unanimously.

The Vice Chair signed Mr. Rowley's drafted plan.

BRIDGES AT MASHPEE SITE WALK

The Vice Chair called for a roll call vote to add to the agenda the Santec letter regarding Bridges at Mashpee. Mr. Hansen-yes; Mr. Cummings-yes; Mr. Balzarini-yes; Vice Chair Waygan-yes; Mr. Kooharian-yes

Samantha Gajewski, of National Development, reported that a site walk had been completed at Bridges at Mashpee with Mr. Fudala and Mr. Rowley. A punch list was created highlighting the outstanding items identified, including their anticipated cost. Ms. Gajewski was present to provide a bond representing 150% of the amount, totaling \$43,350, with the intent to complete the list within 30 days. Mr. Rowley noted that he did not require the 30 days, but had suggested a timeline be established. Ms. Gajewski confirmed that they were comfortable with the 30 day deadline.

MOTION: Mr. Kooharian made a motion that the Planning Board accept the cash bond from National Development for \$43,350, granting National Development a 30-day period to complete the items as listed in their punch list dated June 17, 2015, Revision #2, to secure the work to be done and to satisfy the final plans for the project. Mr. Cummings seconded the motion. All voted unanimously.

The bond was provided to Mr. Fudala, Vice Chair Waygan signed the receipt.

TOWN ROAD TAKINGS

Signature of Town road taking plans for Saddleback Road and for Jonas Drive, Valerie Circle and Michelle Court

Board members signed the plans.

BOARD ITEMS

Old Business

Discussion of Greenways Proposal and Surrounding Commercial Property-No update
MMR Military Civilian Community Council-Update of MMR Joint Land Use
Study-No update

Design Review Committee-No update

Environmental Oversight Committee-No update

Community Preservation Committee-No update

Historic District Commission-No update

New Business

Board reorganization-Mr. Balzarini served as nominating Chair and reported that his slate included Ms. Waygan as Chair, Mr. Kooharian as Vice Chair and Mr. Cummings as Clerk.

MOTION: Mr. Balzarini nominated Mary Waygan as Chair of the Planning Board. Mr. Kooharian seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini nominated David Kooharian as the Vice Chair of the Planning Board. Ms. Waygan seconded the motion. All voted unanimously.

MOTION: Mr. Balzarini nominated Joseph Cummings as the Clerk of the Planning Board. Ms. Waygan seconded the motion. All voted unanimously.

There was question regarding the need for Mr. Petersen's vote, but Mr. Hansen would be able to step in for Special Permits in Mr. Petersen's absence. Mr. Fudala stated that Mr. Petersen was an elected member of the Board. It was noted that his term would expire next May, unless he resigned. It was recommended that a new member be recruited to the Board. Should Mr. Petersen resign, it would require a joint election with the Board of Selectmen.

Designation of new representative to Environmental Oversight Committee-Mr. Cummings agreed to serve as the representative to the Environmental Oversight Committee.

MOTION: Ms. Waygan nominated Mr. Cummings to be the representative to the Environmental Oversight Committee. Mr. Kooharian seconded the motion. All voted unanimously.

Mr. Fudala will send a memo to the Board of Selectmen, Town Clerk and the Chair of the Environmental Oversight Committee.

Potential Zoning Articles for October Town Meeting-There were two articles to be considered. Markups were provided to Board members for review. The Chair recommended that members read the changes to the Zoning Bylaw Article. There was discussion about a possible change to 4 stories. A vote will be taken at the July 1 Planning Board meeting. Mr. Fudala also referenced the OSID Bylaw and the hotel/motel 50 foot buffer. Because of the Northbridge project at Mashpee Commons, it had become an issue so it has been suggested that conflict in wording be corrected.

MOTION: Mr. Balzarini made motion that the Planning Board submit this to the Board of Selectmen to be placed on the Warrant for October Town Meeting. Mr. Kooharian seconded the motion. All voted unanimously.

The Chair inquired about a public hearing but it was noted that the Planning Board typically did not receive Articles for a public hearing until it was placed on the warrant.

MOTION: Mr. Balzarini made motion to cancel the July 15th meeting. Mr. Kooharian seconded the motion. All voted unanimously.

WATERWAYS LICENSE

CORRESPONDENCE

- SouthCape Village December 2014 WWTP discharge monitoring report N=8.1
- SouthCape Village January 2015 WWTP discharge monitoring report N=10.7
- SouthCape Village February 2015 WWTP discharge monitoring report N=5.8
- SouthCape Village March 2015 WWTP discharge monitoring report N=7.8
- SouthCape Village April 2015 WWTP discharge monitoring report N=5.7

ADJOURNMENT

MOTION: Mr. Balzarini made a motion to adjourn. Mr. Kooharian seconded the motion. All voted unanimously. The meeting adjourned at 8:23 p.m.

Respectfully submitted,

Jennifer M. Clifford
Board Secretary

LIST OF DOCUMENTS

- Charles Rowley 10/1/14 Letter Regarding New Seabury Security Reduction
- Stantec June 17, 2015 Bridges at Mashpee Punch list Letter
- Town Meeting Article, Zoning Bylaw Section 174-46
- Town Meeting Article, Zoning Bylaw Section 174-31